IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 13503 of 2005

Between:

M.Janaiah S/o.M.Narsaiah
R/o.Quarter NO.12, A Colony Pylon, Nagarjunasagar,

Nalgonda District.

..... PETITIONER

AND

1 Andhra Pradesh Power General Corporation Limited Hyderabad, rep by its Chairman and Managing Director.
2 The Chief General Manager (Admn.) Andhra Pradesh Power Generation Corporation Limited, Vidyut Soudha Hyderabad.
3 The Superintending Engineer Operation and Maintenance Circle, N.S.H.E.Scheme, Plyon Colony Nagarjunasagar Nalgonda District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or writ more particularly one in the nature of writ of Mandamus or any other appropriate writ declaring the action of the third respondent in not including the name of the petitioner in the list of Graduate Sub Engineers working as on 31.3.2005 as illegal and arbitrary and consequently direct the respondents to include the name of the petitioner in the panel of Graduate Sub Engineers working as on 31.1.2005 with all consequential benefits and pass other order or orders.

Counsel for the Petitioner : MR.B.SHIVA KUMAR

Counsel for the Respondents: SMT. E.URMILA

The Court at the admission stage made the following :

O R D E R:

This writ petition is filed by the petitioner seeking writ of mandamus directing the respondents to include the name of the petitioner in the list of Graduate Sub-Engineers working as on 31.3.2005, holding that the non-inclusion of his name, as illegal and arbitrary, and consequently direct the respondents to include the name of the petitioner in the panel of Graduate Sub-Engineers for further promotion.

2. According to the petitioner, he was appointed as Sub-Engineer on 10.01.2000 and posted at Nagarjuna Sagar Mini Power House. The petitioner completed his probation and his services were regularized from the date of probation i.e., 11.1.2003. While working in the organization, the petitioner appeared for A.M.I.E., Degree in the month of December 2004 and the certificate was issued on 24.3.2005. It is stated that the Deputy Secretary (Admn.) addressed a letter dated 4.2.2005, requiring the Superintending Engineers to furnish the information in respect of Graduate Sub-Engineers, who have completed four years of service as on 31.1.2005 as per the seniority. On the basis of the said letter, the 3rd respondent was required to send a list of Graduate Sub-Engineers working under his control, who have completed 4 years of service. The petitioner joined the organization on 10.1.2000 and completed more than four years of service and also acquired the qualification of graduation, and therefore, the petitioner is entitled to be included in the list fur further promotion to the post of Assistant Engineer. However, the 3rd respondent has prepared a list of Graduate Sub-Engineers, who have completed four years of service and communicated to the 1st respondent without including the name of the petitioner. Therefore, the petitioner made a representation on 13.4.2005 to the Chief General Manager to include his name in the list of Graduate Sub-Engineers. As no action has been taken, the petitioner has come up with the present writ petition.

3. Heard both sides and considered the material on record.

4. The grievance of the petitioner is that his name was not included in the Graduate Sub-Engineers panel for being considered for promotion to the post of Assistant Engineers even though he has completed four years of service, and obtained a

degree in A.M.I.E., much before the date of communication issued by the Deputy Secretary to the 3rd respondent. In view of the above stated facts, the 2nd respondent is directed to consider the representation of the petitioner dated 13.4.2005 and pass appropriate orders for inclusion of his name in the list of Graduate Sub-Engineers, the panel for being considered for promotion to the post of Assistant Engineer. The 2nd respondent is directed to pass appropriate orders expeditiously, preferably within a period of six weeks from the date of receipt of a copy of this order.

5. The writ petition is accordingly disposed of. No costs.

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S.Ananda Reddy, J.

Dt. 27.06.2005

Kvh

To

1. The Chairman and Managing Director, A.P. Power Generation Co. Ltd., Hyderabad.
2. The Chief General Manager (Admn.)., A.P. Power Generation Corpn. Ltd., Vidhut Soudha, Hyderabad.
3. The Superintending Engineer, Operation and Maintenance Circle, NSHE Scheme, Pylon Colony, Nagarjuna Sagar, Nalgonda District.
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